

State Water Resources Control Board

February 28, 2019
System No. 2400209

Mr. Lon Martin, General Manager
San Luis Water District - San Luis Hills
P.O. Box 2135
Los Banos, CA 93635

CITATION NO. 03-11-19C-010 – VIOLATION OF DISINFECTION BYPRODUCT PRECURSORS TREATMENT TECHNIQUE REQUIREMENT OF PERCENT TOC REMOVAL RATIO > 1.0) FOR THE 2ND, 3RD AND 4TH QUARTERS 2018

Enclosed is Citation No. 03-11-19C-010 (hereinafter "Citation"), issued to the San Luis Water District - San Luis Hills (hereinafter "District"), public water system. Please note that there are legally enforceable deadlines associated with this Citation.

The District will be billed at the State Water Resources Control Board's (hereinafter "State Water Board"), hourly rate for the time spent on issuing this Citation. California Health and Safety Code (hereinafter "CHSC"), Section 116577, provides that a public water system must reimburse the State Water Board for actual costs incurred by the State Water Board for specified enforcement actions, including but not limited to, preparing, issuing and monitoring compliance with a citation. At this time, the State Water Board has spent approximately 2.0 hour(s) on enforcement activities associated with this violation.

The District will receive a bill sent from the State Water Board in August of the next fiscal year. This bill will contain fees for any enforcement time spent on the District for the current fiscal year.

Any person who is aggrieved by a citation, order or decision issued under authority delegated to an officer or employee of the state board under Article 8 (commencing with CHSC, Section 116625) or Article 9 (commencing with CHSC, Section 116650), of the Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4), may file a petition with the State Water Board for reconsideration of the citation, order or decision. Appendix 1 to the enclosed Citation contains the relevant statutory provisions for filing a petition for reconsideration (CHSC, Section 116701).

Petitions must be received by the State Water Board within 30 days of the issuance of the citation, order or decision by the officer or employee of the state board. The date of issuance is the date when the Division of Drinking Water mails a copy of the citation, order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day by 5:00 p.m.

Information regarding filing petitions may be found at:

http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml

February 28, 2019

If you have any questions regarding this matter, please contact Arnold Hatai of my staff at 559-447-3135 or me at 559-447-3316.

Sincerely,



Kassy D. Chauhan, P.E.
Senior Sanitary Engineer, Merced District
SOUTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

Enclosures

Certified Mail No. 7018 0040 0000 3159 9333

KDC/MLM

cc: Merced County Environmental Health Department
Mr. Mike Zuspan, Operator (same address)

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

Name of Public Water System: San Luis Water District - San Luis Hills

Water System No: 2400209

Attention: Mr. Lon Martin, General Manager

San Luis Water District - San Luis Hills

P.O. Box 2135

Los Banos, CA 93635

Issued: February 28, 2019

**CITATION FOR NONCOMPLIANCE WITH
CALIFORNIA HEALTH AND SAFETY CODE, SECTION 116555(a)(1) AND
SECTION 64536.2(a) of the TITLE 22 OF THE CALIFORNIA CODE OF
REGULATIONS (CCR)
2ND, 3rd AND 4th QUARTERS OF 2018**

Section 116555 (a)(1) of the CHSC specifies that any person who owns a public water system shall ensure that the system complies with the primary and secondary drinking water standards.

The California Health and Safety Code (hereinafter "CHSC"), Section 116650 authorizes the State Water Resources Control Board (hereinafter "State

1 Water Board”), to issue a citation to a public water system when the State
2 Water Board determines that the public water system has violated or is
3 violating the California Safe Drinking Water Act (hereinafter “California
4 SDWA”), (CHSC, Division 104, Part 12, Chapter 4, commencing with Section
5 116270), or any regulation, standard, permit, or order issued or adopted
6 thereunder.

7
8 The State Water Board, acting by and through its Division of Drinking Water
9 (hereinafter “Division”), and the Deputy Director for the Division, hereby
10 issues Citation No. 03-11-19C-010 (hereinafter “Citation”), pursuant to
11 Section 116650 of the CHSC to the San Luis Water District - San Luis Hills
12 public water system (hereinafter “District”), for violation of Section
13 116555(a)(1) and Section 64536.2 of the Title 22, CCR.

14
15 A copy of the applicable statutes and regulations are included in Appendix 1,
16 which is attached hereto and incorporated by reference.

17 18 **STATEMENT OF FACTS**

19 The San Luis Water District - San Luis Hills water system is classified as a
20 community water system with a population of 300, serving 66 connections.
21 The District operates under Domestic Water Supply Permit No. 03-11-14P-
22 004 issued by the State Water Board on December 11, 2014.

23
24 CHSC, Section 116555(a)(1) requires all public water systems to comply with
25 primary drinking water standards as defined in CHSC, Section 116275(c).
26 Primary drinking water standards include maximum levels of contaminants
27 and the monitoring and reporting requirements as specified in regulations

adopted by the State Water Board that pertain to maximum contaminant levels.

Section 64536.2 of the Title 22, CCR, specifies that water systems using a conventional filtration treatment process for surface waters achieve acceptable levels of TOC removal at their treatment plant. Compliance with this requirement for the District is based on a running annual average (RAA) of the TOC Percent Removal Ratio utilizing monthly paired samples of the raw and treated water TOC and a raw water alkalinity sample. The TOC Percent Removal Ratio is the percent of TOC removed relative to the percent of TOC removal required. A RAA of monthly ratios, calculated quarterly, that is greater than or equal to 1.00, is required to comply with the TOC percent removal requirements.

The RAA of the analytical results submitted to the State Water Board for the second (2nd), third (3rd) and fourth (4th) quarters of 2018 did not meet the Step 1 TOC Percent Removal Ratio of 1.00 or greater as shown in Table 1 below for Treatment Unit No. 1. There are two treatment units operated in parallel. The District may likely fail the 1st quarter of 2019.

Table 1 – Treatment Unit #1 TOC Percent Removal Ratio

April 2018	May 2018	August 2018	2nd Q 2018
0.57	1.29	0.57	0.76
July 2018	August 2018	September 2018	3rd Q 2018
0.14	0.00	1.00	0.71
October 2018	November 2018	December 2018	4th Q 2018
1.00	1.18	1.00	0.77

1 Specifically, the District has failed to comply with the DBPP treatment
2 technique requirements as specified in Section 64536.2, Title 22, California
3 Code of Regulations (CCR). The District is required to provide public
4 notification for the DBPP treatment technique failure by March 31, 2019.

5
6 The above violation is classified as non-continuing violation.

7 8 **NOTIFICATION REQUIREMENTS**

9 Section 64536.6 of the CCR requires that systems that use conventional
10 treatment, enhanced coagulation, or enhanced softening are identified as
11 treatment techniques to control the level of disinfection byproduct precursors
12 in drinking water treatment and distribution systems. If a system fails to
13 comply with the enhanced coagulation or enhanced softening requirements
14 established in this article the system shall notify the public pursuant to
15 sections 64463 and 64467, including the language in Section 64468.5, in
16 addition to reporting to the State Water Board pursuant to sections 64537
17 through 64537.6.

18
19 Section 64463.4 (a)(1) of the CCR specifies that a Tier 2 Public Notice shall
20 be given for any violation of the treatment technique requirements. Section
21 64463.4 of the CCR allows community water systems to post in conspicuous
22 locations throughout the area served by the water system for a minimum of
23 seven (7) days and to use one or more of the following methods to notify
24 persons not likely reached by posting: publication in a local newspaper or
25 newsletter distributed to customers, posting the public notice on the Internet,
26 e-mail to each employee or student, or hand-delivery to each customer.

DETERMINATION

The State Water Board has determined that the District violated the provisions of the Disinfection Byproducts Rule treatment technique requirements for the TOC removal as specified in Section 64536.2(a) of the Title 22 of the CCR and CHSC Section 116555(a)(1) that the District comply with the primary and secondary drinking water standards. These sections are provided in Appendix 1.

DIRECTIVES

The District is hereby directed to take the following actions:

1. The District shall provide quarterly public notification of its inability to meet the disinfection byproduct precursor treatment technique requirements during any calendar quarter that the TOC Percent Removal Ratio of 1.00 or greater is not met. A copy of the Tier 2 Public Notice is included in Appendix 3.
2. The District shall continue to conduct monthly sampling for disinfection byproduct precursors utilizing monthly paired samples of the raw and treated water TOC from each surface water treatment plant and a raw water alkalinity sample. This monitoring shall be conducted in accordance with the approved disinfection byproduct (DBP) monitoring plan. The analytical results shall be reported to the State Water Board no later than the 10th day following the month in which the sample was collected.
3. By **March 31, 2019**, the District shall submit a corrective action plan that describes how the TOC levels will be adequately reduced to achieve compliance with the Disinfection Byproducts Rule.

1 4. Complete Appendix 2: Compliance Certification Form. Submit it
2 together with a copy of the Tier 2 notice as required by Directive 1 to
3 the State Water Board on or before March 31, 2019.

4
5 5. If the District is unable to perform the tasks specified in this Citation for
6 any reason, whether within or beyond its control, and if the District
7 notifies the State Water Board in writing no less than five days in
8 advance of the due date, the State Water Board may extend time for
9 performance if the District demonstrates that it has used its best efforts
10 to comply with the schedule and other requirements of this Citation.

11
12 6. On or before **March 31, 2019**, complete and return to the State Water
13 Board the "Notification of Receipt" form attached to this Citation as
14 Appendix 2. Completion of this form confirms that the District has
15 received this Citation and understands that it contains legally
16 enforceable directives(s) with due dates.

17
18 All submittals required by this Citation shall be electronically submitted to the
19 State Water Board at the following address. The subject line for all electronic
20 submittals corresponding to this Citation shall include the following
21 information: District name and number, citation number and title of the
22 document being submitted.

23 Kassy D. Chauhan, P.E., Senior Sanitary Engineer

24 265 West Bullard Avenue, Suite 101

25 Fresno, CA 930704

26 Dwpdist11@waterboards.ca.gov
27

1 The State Water Board reserves the right to make modifications to this
2 Citation as it may deem necessary to protect public health and safety. Such
3 modifications may be issued as amendments to this Citation and shall be
4 effective upon issuance.

5
6 Nothing in this Citation relieves the District of its obligation to meet the
7 requirements of the California SDWA (CHSC, Division 104, Part 12, Chapter
8 4, commencing with Section 116270), or any regulation, standard, permit or
9 order issued or adopted thereunder.

10 11 **PARTIES BOUND**

12 This Citation shall apply to and be binding upon the District, its owners,
13 shareholders, officers, directors, agents, employees, contractors, successors,
14 and assignees.

15 16 **SEVERABILITY**

17 The directives of this Citation are severable, and the District shall comply
18 with each and every provision thereof notwithstanding the effectiveness of
19 any provision.

20 21 **FURTHER ENFORCEMENT ACTION**

22 The California SDWA authorizes the State Water Board to: issue a citation or
23 order with assessment of administrative penalties to a public water system for
24 violation or continued violation of the requirements of the California SDWA or
25 any regulation, permit, standard, citation, or order issued or adopted
26 thereunder including, but not limited to, failure to correct a violation identified
27 in a citation or compliance order. The California SDWA also authorizes the
28 State Water Board to take action to suspend or revoke a permit that has been

1 issued to a public water system if the public water system has violated
2 applicable law or regulations or has failed to comply with an order of the State
3 Water Board, and to petition the superior court to take various enforcement
4 measures against a public water system that has failed to comply with an
5 order of the State Water Board. The State Water Board does not waive any
6 further enforcement action by issuance of this Citation.

7
8
9 Kassy D. Chauhan
10 Kassy D. Chauhan, P.E.
11 Senior Sanitary Engineer
12 SOUTHERN CALIFORNIA BRANCH
13 DRINKING WATER FIELD OPERATIONS
14

2/28/19
Date



15 Appendices (4):

- 16
- 17 1. Applicable Statutes and Regulations
- 18 2. Certification of Completion of Public Notification
- 19 3. Tier 2 Public Notice
- 20 4. Notification of Receipt Form
- 21
- 22

23 Certified Mail No. 7018 0040 0000 3159 9333